

Serial No. 10/003,635

**REMARKS**

The Office action dated February 7, 2006 and the cited reference have been carefully considered.

**Status of the Claims**

Claims 7-13 and 19-28 remain in the current prosecution.

Claims 7-10 and 19-26 are rejected under 35 U.S.C. § 102(b) as being anticipated by Lubbers (U.S. Patent 5,739,245). The Applicants respectfully traverse this rejection for the reasons set forth below.

Claims 11-13 and 27-28 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. The Applicants wish to thank the Examiner for indicating that claims 11-13 and 27-28 are allowable. These claims have been rewritten as independent claims including all of the limitations of the base claim and intervening claims. Therefore, they are now in condition for allowance. Early allowance is respectfully requested.

**Objection to the Specification**

The specification is objected to because the inclusion of CHART 1 in the specification on page 18 is improper. The specification is amended to delete CHART 1 from the specification. Instead, CHART 1 is now submitted as separate Figure 1. The specification is also amended to include a brief description of Figure 1, which is substantively the same as the title of CHART 1 in the original specification. No new matter has been added. Therefore, the Applicants submit that this objection is now overcome.

**Claim Rejection Under 35 U.S.C. § 102**

Serial No. 10/003,635

Claims 7-11 and 19-26 are rejected under 35 U.S.C. § 102(b) as being anticipated by Lubbers. The Applicants respectfully traverse this rejection because Lubbers does not disclose each and every element of each of claims 7-11 and 19-26.

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a *single* prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 2 U.S.P.Q.2d 1051, 1053 (Fed. Cir. 1987) (emphasis added). Every element of the claimed invention must be *literally* present, arranged as in the claim. . . . The identical invention must be shown in as complete detail as is contained in the . . . claim." *Richardson v. Suzuki Motor Co.*, 9 U.S.P.Q.2d 1913, 1920 (Fed. Cir. 1989) (emphasis added).

Lubbers discloses a polymer having "predominantly linear molecular structure" (column 1, lines 8-9 and lines 27-28). Although Lubbers' polymer has silane groups of the formula  $-\text{SiR}^1\text{R}^2\text{R}^3$  at "both ends of the predominantly linear molecular structure," Lubbers' polymer does not have polymeric segments comprising siloxy units, as is shown in the formula of claim 7 and all claims dependent therefrom. None of the possible species represented by  $\text{R}^1$ ,  $\text{R}^2$ , and  $\text{R}^4$  will turn this terminal silane group into siloxy group.

In contradistinction, claim 7 and all claims dependent therefrom recite a poly(siloxysilane comprising three branched polysiloxane segments, wherein the terminal groups  $\text{R}_1$  linked to the Si atoms are selected from the group consisting of  $\text{C}_{6-36}$  aryl ether and  $\text{C}_{1-10}$  alkyl ether (which are not disclosed by Lubbers). The polymer of claim 7 and all claims dependent therefrom is not predominantly linear like Lubbers' polymer. Thus, Lubbers does not disclose each and every element of each of claims 7-11 and 19-26.

Since Lubbers does not disclose each and every element of each of claims 7-11 and 19-26, Lubbers does not anticipate these claims.

In view of the above, it is submitted that the claims are patentable and in condition for allowance. Reconsideration of the rejection is requested. Allowance of claims at an early date is solicited.

Serial No. 10/003,635

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Toan P. Vo". The signature is written in a cursive, flowing style.

---

Toan P. Vo, Ph.D.  
Attorney for the applicants  
Registration No. 43,225  
(585)338-8071

Bausch & Lomb Incorporated  
One Bausch & Lomb Place  
Rochester, New York 14604  
April 26, 2006